REMARKS

Claims 1-3 and 5-16 remain pending in the application.

Objection of Claim 14

The Office Action objected to claim 14 as allegedly failing to further limit subject matter of a previous claim.

Claim 14 is canceled herein making the objection now moot.

Allowed Claims 6-13, 15 and 16

The Applicants thank the Examiner for the indication that claims 6-13, 15 and 16 are **allowed**.

35 USC 112 Rejection of Claims 1-3 and 5

The Office Action rejected claims 1-3 and 5 under 35 USC 112, first paragraph. In particular, the Office Action alleged that Claims 1-3 and 5 lack an asserted utility or a well established utility.

A thorough reading of 35 USC 112, first paragraph fails to reveal a requirement that a claim recite an asserted utility or a well established utility. Nevertheless, claims 1-3 and 5 are amended here to recite at least one of a transmitter and a receiver to receive the recited data frames. Thus, claims 1-3 and 5 are amended to recite application to at least one of a transmitter and receiver. The Applicants respectfully request that the rejection of claims 1-3 and 5 under 35 USC 112, first paragraph, be withdrawn.

Claims 1-3 and 5 over Kojima

Claims 1-3 and 5 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 5,886,999 to Kojima ("Kojima"). The Applicants respectfully traverse the rejection.

Claims 1-3 and 5 recite at least one of a transmitter to transmit and a receiver to receive a transmitted plurality of time slot based data frames, wherein less than all, but more than one, of the plurality of time slot based data frames, **as transmitted**, including a sync word.

The Examiner points to Kujima at col. 6, line 39-col. 7, line 27 to disclose a plurality of predetermine number of synchronous words are not detected in a predetermine period. However, claims 1-3 and 5 are **NOT** directed toward detected data frames **BUT** transmitted data frames.

Moreover, Kujima discloses a sync word SWV, SWA and SWM as are applied to a head of a video portion VDT, an audio portion ADT and other media data portions MDT, respectively (See col. 6, lines 43-56). Thus, Kujima discloses that a sync word is applied to **EVERY** transmitted data frame **NOT** less than all, but more than one, of a plurality of time slot based data frames, **as transmitted**, as recited by claims 1-3 and 5.

Moreover, claims 1-3 and 5 recite a sync word at a **beginning** of a plurality of time slot based data frames.

As discussed above, Kujima discloses a sync word SWV, SWA and SWM as are applied to a head of a video portion VDT, an audio portion ADT and other media data portions MDT, respectively. Thus, Kujima's sync words are associated with video data , audio data and other media data **WITHIN** a data frame NOT disclosing a sync word at a **beginning** of a plurality of time slot based data frames, as recited by claims 1-3 and 5.

For at least these many reasons, claims 1-3 and 5 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

William H. Bollman
Reg. No. 36,457

MANELLI DENISON & SELTER PLLC
2000 M Street, NW 7TH Floor
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336
WHB/df